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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,115	03/05/2001	Alok Agrawal	ORCL 5680	2753
53156 7590 02/21/2007 YOUNG LAW FIRM, P.C. 4370 ALPINE RD. STE. 106 PORTOLA VALLEY, CA 94028			EXAMINER NGUYEN, THANH T	
			ART UNIT 2144	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/800,115

Applicant(s)

AGRAWAL ET AL.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____



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Office Action

1. This action is responsive to the amendment filed on November 24, 2006.
2. Claims **1-60** are presented for re-examination.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Regarding claims 2, 20, 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding claims 2, 20, and 38, in the claimed "assembling the requested document from at least one of the retrieved and dynamically generated blocks" renders the claims indefinite because it is unclear and vague examiner that the Applicant means: "*assembling the requested document from at least one of the retrieved blocks or at least one dynamically generated remains blocks*" or "*assembling the requested document from at least one of the retrieved blocks and at least one dynamically generated remains blocks*". See MPEP 2173.05(d).

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-60 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
8. Claim 1-60 appear to provide for the use of method of servicing a request, since the claim does not set forth any steps involved in the method of servicing a request. Thus, Claims 1, 19, 37, and 55 do not result in a physical transformation nor does it appear to provide useful concrete and tangible result. It fails to use or make available for use the result of the description to enable its functionality and usefulness to be realized for example (e.g., servicing a request for a document..., retrieving some of the block defined..., then dynamic generating remaining ones of plurality of blocks...). Thus, it does not appear to produce a tangible result.
9. Claims 1-60 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966). Therefore, claims 1, 19, 37, and 55 appear non-statutory.

Art Unit: 2144

10. To overcome this type of 101 rejection (to produce a tangible result), examiner suggests applicants to amend the claim, for example, the claim should be amended as "A method of servicing a request for a document over a computer network, comprising the steps of: receiving a request for a document, the document including a script that defines plurality of blocks, each block including a reference to a data source and code that is adapted to access the data source and to format the data accessed from the data source; retrieving some of the plurality of blocks defined in the script of the requested document from a memory when the memory stores the at least one of the plurality of blocks defined in the script of the requested document; and dynamically generating any block defined in the script of the requested document that is not stored in the memory and storing a copy of each dynamically generated block in the memory, assembling the requested document from at least one of the retrieved and dynamically generated blocks, and sending the assembled document over the computer network to an originator of the request". See MPEP 2106 section V. DETERMINE WHETHER THE CLAIMED INVENTION COMPLIES WITH 35 U.S.C. 101 under subsection 1. Nostatutory subject matter.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2144

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaughlin et al., (hereinafter McLaughlin) U.S. Patent No. 5,988,847, Nazem et al., (hereinafter Nazem) U.S. Patent No. 5,983,227, and Michel K. Bowman-Amuah (hereinafter Bowman-Amuah) U.S. Patent No. 6,742,015 in view of Roberts S. Mason., (hereinafter Mason) U.S. Patent No. 5,884,098 further in view of Bender et al., (hereinafter Bender) U.S. Patent No. 6,038,033.

13. As to claim 1, McLaughlin teaches the invention as claimed, including a method of servicing a request for a document over a computer network, comprising the steps of: defined in the script of the requested document from a memory, the memory storing the at least one of the plurality of blocks defined in the script of the requested document (col.3, lines 40-49, and col.8, lines 5-20); and dynamically generating defined

Art Unit: 2144

in the script of the requested document that is not stored in the memory and storing a copy of each dynamically generated ones of the plurality of blocks in the memory (col.3, lines 60-65, col.5, lines 24-36, and col.8, lines 5-20). But McLaughlin does not teach the document including a script that defines plurality of blocks. However, Nazem teaches the document including a script that defines plurality of blocks (Fig.5A, multiple blocks, Breaking news, world, and U.S. Stock news and report). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Nazem's teaching into the computer system of McLaughlin to have a document including a script that defines plurality of blocks because it would have provided a user template for a user making a request and eliminated the need to make requests from other servers for portion of the live data over the internet. McLaughlin and Nazem do not teach each block including a reference to a data source and code that is adapted to access the data source and to format the data accessed from the data source. However, Bowman-Amuah teaches each block including a reference to a data source and code that is adapted to access the data source and to format the data accessed from the data source (col.47 lines 30-67, and col.52, lines 55-61). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Bowman-Amuah's teaching into the computer system of McLaughlin to have a each block including a reference to a data accessed from the data source because it would have provided less complex, faster interactions and made the systems more robust. Also, McLaghlin, Nazem and Bowman-Amuah do not teach generating remaining blocks. However, Mason teaches retrieving at least one but no all of the plurality of blocks, and generating remaining blocks (see col.8, lines 1-28, and col.9, lines 1-30). It would have been

Art Unit: 2144

obvious to one of ordinary skill in the art at the time of the invention was made to implement the Mason's teaching into the computer system of McLaughlin to have generating remaining blocks because it would have provided an advantage warranting the additional cost and complexity of the resulting system. McHaglin Nazem and Bowman-Amuah do not explicitly disclose retrieving only some of the plurality of blocks.

In the same field endeavor, Bender discloses (e.g., method and apparatus for compressing and decompressing print data in the background operations of a printer). Bender discloses retrieving only some of the plurality of blocks [see col.18, lines 60-65] *(successively retrieving each of said plurality of blocks of uncompressed image data in said memory)*.

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Bender's teachings method and apparatus for compressing and decompressing print data in the background operations of a printer with the teachings of McLaughlin to have retrieving only some of the plurality blocks, for the purpose of provide more efficiently and with less memory by operating in parallel [see Bender, col.4, lines 12-14].

14. As to claim 2, McLaughlin teaches the invention as claimed, further comprising the step of assembling the requested document from at least one of the retrieved and dynamically generated blocks (col.5, lines 30-40).

15. As to claim 3, McLaughlin teaches the invention as claimed, further comprising the step of sending the assembled document over the computer network to an originator of the request (col.8, lines 20-34).

Art Unit: 2144

16. As to claim 4, McLaughlin teaches the invention as claimed, further comprising the step of sending at least one of the retrieved and dynamically generated blocks over the computer network to an originator of the request (col.8, lines 5-33).

17. As to claim 5, McLaughlin and Nazem do not teach the invention as claimed, wherein the document includes an XML document. However, Bowman-Amuah teaches the document includes an XML document (col.41, lines 24-49). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Bowman-Amuah's teaching into the computer system of McLaughlin to have the document includes an XML document because it would have allowed designers to create their own customized tags, enabling the definition, transmission, validation, and interpretation of data between applications and between organizations.

18. As to claim 6, McLaughlin and Nazem do not teach the invention as claimed, wherein the document includes an HTML document. However, Bowman-Amuah teaches the document includes an HTML document (col.41, lines 24-49). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Bowman-Amuah's teaching into the computer system of McLaughlin to have the document includes an HTML document because it would have created documents on the World Wide Web and allowed Web developers to direct users to other Web pages.

19. As to claim 7, McLaughlin does not teach the invention as claimed, wherein the request includes an HTTP request. However, Nazem teaches the request includes an HTTP request (col.3, lines 15-21). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Nazem's teaching into the

Art Unit: 2144

computer system of McLaughlin to the request includes an HTTP request because it would have formatted and transmitted messages between web server and browser in the communications network.

20. As to claim 8, McLaughlin teaches the invention as claimed, wherein the memory is a cache memory (memory 215 in fig.2) (see col.7, lines 40-50).

21. As to claim 9, McLaughlin teaches the invention as claimed, wherein the memory is adapted to be shared among multiple processes (share multiple processes 231, 232, 233).

22. As to claim 10, McLaughlin teaches the invention as claimed, further including the step of determining whether the at least one of the plurality of stored blocks has been invalidated and carrying out the retrieving step only when the at least one of the plurality of stored blocks has not been invalidated (see col.7, lines 1-16).

23. As to claim 11, McLaughlin teaches the invention as claimed, further comprising the step of determining at least one of an invalidation mechanism and an expiration time for each dynamically generated block that is stored in the memory (See col.5, lines 25-37).

24. As to claim 12, McLaughlin teaches the invention as claimed, further comprising the step of storing a placeholder block configured to enable an external data source to asynchronously publish data thereto (See col.6, lines 35-49).

25. As to claim 13, McLaughlin teaches the invention as claimed, wherein the placeholder block is free of code to access and format data (See col.5, lines 25-60).

26. As to claim 14, McLaughlin teaches the invention as claimed, further

Art Unit: 2144

comprising the step of accepting asynchronous input from an external data source, the asynchronous input updating at least one block stored in the memory (See col.6, lines 35-49).

27. As to claim 15, McLaughlin teaches the invention as claimed, wherein the memory is maintained across a plurality of cache servers, and wherein a coherency mechanism maintains coherency of the memory across the plurality of cache servers (See col.7, lines 30-40).

28. As to claim 16, McLaughlin teaches the invention as claimed, wherein the plurality of cache servers are distributed over a geographical area (See col.5, lines 5-23).

29. As to claim 17, McLaughlin teaches the invention as claimed, further comprising the steps of associating at least one caching property to each dynamically generated block, the at least one caching property determining when the associated block is invalidated (See col.5, lines 22-55).

30. As to claim 18, McLaughlin teaches the invention as claimed, wherein the at least one caching property is stored along with the copy of each dynamically generated block stored in the memory (See col.5, lines 22-55).

31. Claim 19 has similar limitations as claim 1; therefore, it is rejected under the same rationale. As to the added limitation McLaughlin further teaches at least one processor (120 Fig.2) and at least one storage device (215 Fig.2) (See col.7, line 42 to col.8, line 34).

32. Claims 20-36 have similar limitations as claims 2-18; therefore, they are rejected under the same rationale.

33. Claims 37-54 have similar limitations as claims 1-18; therefore, they are

Art Unit: 2144

rejected under the same rationale.

34. Claims 55, and 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaughlin et al., (hereinafter McLaughlin) U.S. Patent No. 5,988,847 in view of Nazem et al., (hereinafter Nazem) U.S. Patent No. 5,983,227, further in view of Bender et al., (hereinafter Bender) U.S. Patent No. 6,038,033.

35. As to claim 55, McLaughlin teaches the invention as claimed, including a method of servicing a defining a caching property for each identified block, the caching property defining when each identified block is to be invalidated (See col.7, line 51 to col.8, line 31); caching the identified blocks in a memory (215 Fig.2, dynamic cache); maintaining each of the cached blocks in the memory according to the defined caching property defined for each block, and servicing the request for the Web page at least partially from the cached blocks in memory (See col.8, lines 5-35, and col.9, lines 6-52). But McLaughlin does not teach the document including a script that defines plurality of blocks. However, Nazem teaches the document including a script that defines plurality of blocks (Fig.5A, multiple blocks, Breaking news, world, and U.S. Stock news and report). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Nazem's teaching into the computer system of McLaughlin to have a document including a script that defines plurality of blocks because it would have provided a user template for a user making a request and eliminated the need to make requests from other servers for portion of the live data over the internet. Also, McLaghlin, Nazem do not teach generating remaining blocks.

Art Unit: 2144

However, Mason teaches retrieving at least one but no all of the plurality of blocks, and generating remaining blocks (see col.8, lines 1-28, and col.9, lines 1-30). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Mason's teaching into the computer system of McLaughlin to have generating remaining blocks because it would have provided an advantage warranting the additional cost and complexity of the resulting system. McHaglin Nazem do not explicitly disclose retrieving only some of the plurality of blocks.

In the same field endeavor, Bender discloses (e.g., method and apparatus for compressing and decompressing print data in the background operations of a printer). Bender discloses retrieving only some of the plurality of blocks [see col.18, lines 60-65] *(successively retrieving each of said plurality of blocks of uncompressed image data in said memory)*.

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Bender's teachings method and apparatus for compressing and decompressing print data in the background operations of a printer with the teachings of McLaughlin to have retrieving only some of the plurality blocks, for the purpose of provide more efficiently and with less memory by operating in parallel [see Bender, col.4, lines 12-14].

36. As to claim 57, Nazem further discloses assembling the requested Web page from at least one of the cached blocks and wherein the method further comprises a step of generating any block of the requested Web page not retrieved from the memory (Fig.5A, multiple blocks, Breaking news, world, and U.S. Stock news and report). It would have

Art Unit: 2144

been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Nazem's teaching into the computer system of McLaughlin to generate the request web page because it would have provided a user template for a user making a request and eliminated the need to make requests from other servers for portion of the live data over the internet.

37. As to claim 58, Mc Laughlin teaches the invention as claimed, further including a step of storing a copy of any generated block in the memory (215 fig.2) (See col.7, lines 40-62).

38. As to claim 59, Nazem further discloses the invention as claimed, further including the step of sending the assembled Web page over the computer network (Fig.5A, multiple blocks, Breaking news, world, and U.S. Stock news and report). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Nazem's teaching into the computer system of McLaughlin to generate the request web page because it would have provided a user template for a user making a request and eliminated the need to make requests from other servers for portion of the live data over the internet.

39. As to claim 60, McLaughlin teaches the invention as claimed, wherein the caching properties include at least one of a unique identifier, an expiration date, an expiration time and an invalidation rule (See col.5, lines 22-55).

40. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Art Unit: 2144

McLaughlin et al., (hereinafter McLaughlin) U.S. Patent No. 5,988,847 and Nazem et al., (hereinafter Nazem) U.S. Patent No. 5,983,227 in view of Michel K. Bowman-Amuah (hereinafter Bowman-Amuah) U.S. Patent No. 6,742,015.


41. As to claim 56, McLaughlin does not teach the invention as claimed, wherein each of the constituent blocks includes a reference to a data source and code that is adapted to access the data source and to format the data accessed from the data source. However, Bowman-Amuah teaches each block including a reference to a data source and code that is adapted to access the data source and to format the data accessed from the data source (col.47 lines 30-67, and col.52, lines 55-61). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Bowman-Amuah's teaching into the computer system of McLaughlin to have a each block including a reference to a data accessed from the data source because it would have provided less complex, faster interactions and made the systems more robust.

Conclusion

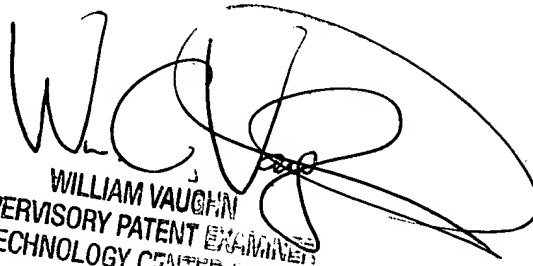
42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***William Vaughn*** can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent

Art Unit: 2144

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February 8, 2007



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